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Question of Palestine

Algeria, Bahrain, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Namibia, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe and Palestine: draft resolution

Peaceful settlement of the question of Palestine

The General Assembly,

Recalling its relevant resolutions, including those adopted at the tenth emergency special session,

Recalling also its resolution 58/292 of 6 May 2004,

Recalling further relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003 and 1544 (2004) of 19 May 2004,

Welcoming the affirmation by the Security Council of the vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Noting with concern that it has been sixty years since the adoption of partition resolution 181 (II) of 29 November 1947 and forty years since the occupation of Palestinian territory, including East Jerusalem, in 1967,

Having considered the report of the Secretary-General submitted pursuant to the request made in its resolution 61/25 of 1 December 2006,[1]

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until the question is resolved in all its aspects in accordance with international law,

[1] A/62/344-S/2007/553.

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Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[2] and recalling also its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Convinced that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive and lasting peace and stability in the Middle East,

Aware that the principle of equal rights and self-determination of peoples is among the purposes and principles enshrined in the Charter of the United Nations,

Affirming the principle of the inadmissibility of the acquisition of territory by war,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the illegality of the Israeli settlements in the Palestinian territory occupied since 1967, including East Jerusalem,

Reaffirming also the illegality of all Israeli actions aimed at changing the status of Jerusalem, including measures such as the so-called E-1 plan and all other unilateral measures aimed at altering the character, status and demographic composition of the city and the territory as a whole,

Reaffirming further that the construction by Israel, the occupying Power, of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, are contrary to international law,

Expressing deep concern about the continuing Israeli policy of closures and severe restrictions on the movement of persons and goods, including medical and humanitarian personnel and goods, via imposition of crossing closures, hundreds of checkpoints and a permit regime throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent negative impact on the socio-economic situation of the Palestinian people and the compounding of the prevailing humanitarian crisis,

Concerned about the continued establishment of Israeli checkpoints in the Occupied Palestinian Territory, including East Jerusalem, and the transformation of several of these checkpoints into structures akin to permanent border crossings inside the Occupied Palestinian Territory, which are severely impairing the territorial contiguity of the Territory and severely undermining all efforts and aid aimed at rehabilitating and developing the Palestinian economy,

Affirming once again the right of all States in the region to live in peace within secure and internationally recognized borders,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,[3] and the agreements concluded between the two sides and the need for full compliance with those agreements,

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[2] See A/ES-10/273 and Corr.1.

[3] See A/48/486-S/26560, annex.

Recalling also the endorsement by the Security Council, in resolution 1515 (2003), of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[4] and stressing the urgent need for its implementation and compliance with its provisions,

Welcoming the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002,[5]

Noting the contribution to the peace process of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, including in the framework of the activities of the Quartet,

Welcoming the convening of the Ad Hoc Liaison Committee meeting, under the chairmanship of Norway, on 24 September 2007 [and the December meeting planned for Paris] to provide assistance to the Palestinian people to alleviate the financial, socio-economic and humanitarian crisis they are facing, and acknowledging the contribution of the Temporary International Mechanism in this regard,

Recognizing the efforts being undertaken by the Palestinian Authority, with international support, to rebuild, reform and strengthen its damaged institutions, and emphasizing the need to preserve the Palestinian institutions and infrastructure,

Expressing its concern over the negative developments that have continued to occur in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000, as a result of ongoing Israeli military actions and excessive use of force, including the large number of deaths and injuries, mostly among Palestinian civilians, the widespread destruction of public and private Palestinian property and infrastructure, the internal displacement of civilians, and the serious deterioration of the socio-economic and humanitarian conditions of the Palestinian people,

Expressing its grave concern about the reoccupation of Palestinian population centres by the Israeli occupying forces, and emphasizing in this regard the need for the implementation by both sides of the Sharm el-Sheikh understandings,

Emphasizing the importance of the safety and well-being of all civilians in the whole Middle East region, and condemning all acts of violence and terror against civilians on both sides,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of the settlements therein as a step towards the implementation of the road map,

Expressing concern over the unlawful takeover of Palestinian Authority institutions in the Gaza Strip on June 2007, and calling for the restoration of the situation to that which existed prior to June 2007 to allow for the resumption of a dialogue for the restoration of Palestinian national unity,

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[4] S/2003/529, annex.

[5] A/56/1026-S/2002/932, annex II, resolution 14/221.

Stressing the urgent need for sustained and active international involvement, including by the Quartet, to support both parties in revitalizing the peace process towards the resumption and acceleration of direct negotiations between the parties for the achievement of a just, lasting and comprehensive peace settlement, on the basis of United Nations resolutions, the Arab Peace Initiative and the road map,

Taking note in this regard of the initiative by the President of the United States of America and welcoming the convening of a substantive and serious international meeting this year aimed at achieving a just and comprehensive solution of the Arab-Israeli conflict as a whole, ending the occupation and achieving a just and peaceful solution to the Israeli-Palestinian conflict by the resumption of negotiations on all tracks, in accordance with the terms of reference contained in the present resolution,

Acknowledging the efforts being undertaken by civil society to promote a peaceful settlement of the question of Palestine,

Taking note of the findings by the International Court of Justice, in its advisory opinion, including on the urgent necessity for the United Nations as a whole to redouble its efforts to bring the Israeli-Palestinian conflict, which continues to pose a threat to international peace and security, to a speedy conclusion, thereby establishing a just and lasting peace in the region,[6]

1. *Reaffirms* the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, in all its aspects, and of intensifying all efforts towards that end;

2. *Also reaffirms* its full support for the Middle East peace process, which began in Madrid, and the existing agreements between the Israeli and Palestinian sides, stresses the necessity for the establishment of a comprehensive, just and lasting peace in the Middle East, and welcomes in this regard the ongoing efforts of the Quartet and of the League of Arab States;

3. *Welcomes* the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002[5] and the follow-up steps being undertaken by the Ministerial Committee formed after reaffirmation of the Initiative by the Riyadh Summit in March 2007;

4. *Calls upon* the parties themselves, with the support of the Quartet and other interested parties, to exert all efforts necessary to halt the deterioration of the situation, to reverse all measures taken on the ground since 28 September 2000 and to immediately resume direct peace negotiations towards the conclusion of a final peaceful settlement on the basis of relevant United Nations resolutions, especially from the Security Council, the Arab Peace Initiative, the terms of reference of the Madrid Conference and the road map;[4]

5. *Calls upon* the Quartet, together with the international community, to take immediate steps, including confidence-building measures between the parties, aimed at halting the deterioration of the situation, promoting stability and restarting the peace process;

6. *Stresses* the need for a speedy end to the reoccupation of Palestinian population centres, including, inter alia, by removal of all Israeli checkpoints erected within the Occupied Palestinian Territory, and the need for respect and

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[6] See A/ES-10/273 and Corr.1, advisory opinion, para. 161.

preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem;

7. *Also stresses* the need for an immediate and complete cessation of all acts of violence, including military attacks, destruction and acts of terror;

8. *Notes* the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein and the need for the parties to resolve all remaining issues in the Gaza Strip;

9. *Stresses* the need for the full implementation by both parties of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, of 15 November 2005, and the need, in specific, for Israel, the occupying Power, to cease its closure of all crossings into and out of the Gaza Strip, which has devastated socio-economic conditions, and to allow for the unimpeded movement and access of humanitarian personnel and supplies;

10. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease all of its measures that are contrary to international law and unilateral actions in the Occupied Palestinian Territory, including East Jerusalem, that are aimed at altering the character and status of the Territory, including via the de facto annexation of land, and thus at prejudging the final outcome of peace negotiations;

11. *Demands accordingly* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion[2] and as demanded in resolutions ES-10/13 of 21 October 2003 and ES-10/15 of 20 July 2004 and, inter alia, that it immediately cease its construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, and calls upon all States Members of the United Nations to comply with their legal obligations, as mentioned in the advisory opinion;

12. *Reiterates its demand* for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls for the full implementation of the relevant Security Council resolutions;

13. *Reaffirms its commitment*, in accordance with international law, to the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;

14. *Stresses* the need for:

(*a*) The withdrawal of Israel from the Palestinian territory occupied since 1967, including East Jerusalem;

(*b*) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;

15. *Also stresses* the need for justly resolving the problem of Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948;

16. *Urges* Member States to expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Authority during this critical period to help to alleviate the humanitarian crisis being faced by the Palestinian people, particularly in the Gaza Strip, to rehabilitate the

Palestinian economy and infrastructure and to support the rebuilding, restructuring and reform of Palestinian institutions;

17. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, towards the attainment of a peaceful settlement of the question of Palestine and the promotion of peace in the region and to submit to the General Assembly at its sixty-third session a report on these efforts and on developments on this matter.